

Your Committee, to which this proposal was referred, has amended the proposal to read as follows and recommends its adoption as amended.

CITY COUNTY COUNCIL

PROPOSAL NO. 154, 2010

CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA

INTRODUCED: 05/17/2010

REFERRED TO: Parks and Recreation Committee

SPONSOR: Councillor Cain

DIGEST: amends the Code to adopt a new Sec. 621-128 prohibiting parking in parks after closing and to amend Sec. 103-52 establishing penalties for violations

SOURCE:

Initiated by: Councillor Cain

Drafted by: Robert G. Elrod, General Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: May 12, 2010

CITY-COUNTY GENERAL ORDINANCE NO. , 2010

A PROPOSAL FOR A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adopting a new Sec. 621-128 prohibiting parking in parks after closing and amending Sec. 103- 52 establishing penalties for violations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. Chapter 621 of the Revised Code of the Consolidated and County be, and is hereby, amended by adding a new Sec. 621-128, to read as follows:

Sec. 621-128. Parking in parks after closing. It shall be unlawful for the owner or operator of any vehicle to park or permit a vehicle to be parked or to stand, on any public park property during the hours that such park is closed to the public. A person's first and second violations of this section in a twelve-month period shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103. A person's third and subsequent violations in a twelve-month period shall be subject to the enforcement procedures and penalties provided in section 103-3 of this Code. A vehicle parked in violation of this section shall be subject to removal pursuant to Article II of Chapter 611 of this Code.

SECTION 2. Sec. 103-52 of the Revised Code of the Consolidated City and County be, and is hereby amended to add the text that is underlined to read as follows:

Sec. 103-52. Schedule of Code provisions and penalties.

The following Code (or ordinance) provisions and their respective civil penalties are designated for enforcement through the ordinance violations bureau:

<i>Code Section</i>	<i>Subject Matter</i>	<i>Civil Penalty</i>
293-321	Failure to file economic statement of interest--First offense	\$50.00
321-1	Swimming in unguarded waters - first offense in calendar year	50.00
361-108	Littering on premises of another	45.00
361-201	Vehicle losing its load--First offense in calendar year	50.00
391-302	Unlawful noise--First offense in calendar year	50.00
407-103	Loitering--First offense in calendar year	50.00
407-201	Unlawful fireworks use, ignition or discharge--First offense	100.00
431-108	Parking prohibited for street repairs and cleaning	20.00
431-314	Premises address violation--Second offense in calendar year	25.00
431-602	Bicycles--Second violation in a twelve-month period regarding children under twelve	50.00
431-603	Unlawful operation of bicycle--First violation in a twelve-month period	50.00
431-604	Unattended bicycle or bicycle not in operation—First violation in a twelve-month period	50.00
431-604	Unattended bicycle or bicycle not in operation—Second violation in a twelve-month period	100.00
431-604	Unattended bicycle or bicycle not in operation—Third violation in a twelve-month period	200.00
431-702	Prohibited activity in roadways--First violation in twelve-month period	25.00
431-703	Interference with vehicular traffic--First violation in twelve-month period	25.00
441-108	Pedestrian violations	12.50
441-214	Parking when temporarily prohibited	20.00
441-318	Unlawful use of horn or sounding device	15.00
441-363	Unlawfully parked trailer	20.00
441-374	Bicycle path or lane--First violation in a twelve-month period	50.00
441-407	Display of unauthorized traffic controls	15.00
441-408	Interference with traffic control devices	15.00
441-503	Consumption or possession by operator of motor vehicle--First offense in calendar year	50.00
441-504	Operating motor vehicle containing open alcoholic beverages--First offense in calendar year	50.00
511-702	Open burning	50.00
531-102	Animal at large--First offense in twelve-month period	50.00
531-202	No dog or cat permanent identification--First offense	50.00

531-202	No dog or cat permanent identification--Second and subsequent offenses	100.00
531-301	No dog or cat antirabies vaccination--First offense	100.00
531-302	No antirabies vaccination tag on dog or cat--First offense in twelve-month period	25.00
531-302	No antirabies vaccination record for feral cat colony--First offense in twelve-month period	25.00
611-403	Unlawful loading or unloading of private bus	15.00
611-501	Unlawful stopping of food vendor vehicle	15.00
611-502	Violation of noise restriction on food vendors	15.00
611-504	Failure of food vending vehicle to display required warnings	15.00
611-506	Unlawful vending from other than curbside of vending vehicle	15.00
621-106	Unlawful parking on sidewalk, in crosswalk, or adjacent yard	25.00
621-107	Unlawful parking in certain school areas	20.00
621-108	Unlawful manner of parking	20.00
621-109	No required lights on certain parked vehicles	20.00
621-110	Violation of handicapped parking restrictions	100.00
621-111	Unlawful parking in handicapped parking meter zone	100.00
621-112	Unloading perpendicular to curb without permit	20.00
621-113	Unlawful use of bus stops and taxicab stands	20.00
621-114	Unlawful use of passenger and loading zones	20.00
621-115	Unlawful parking adjacent to certain buildings	20.00
621-116	Unlawful parking for display for sale or advertising	20.00
621-117	Unlawful parking for more than six (6) hours	20.00
621-118	Unlawful parking of commercial vehicles at night	20.00
621-119	Unlawful parking in alleys or on certain narrow streets	20.00
621-120	Unlawful parking in designated special parking areas	20.00
621-121	Parking on certain streets where prohibited at all times	20.00
621-122	Stopping, standing or parking on streets where prohibited at all times	20.00
621-123	Parking on certain streets where prohibited at all times on certain days	20.00
621-124	Parking on certain streets when prohibited at certain times on certain days	20.00
621-125	Stopping, standing or parking during prohibited hours on certain days on certain streets	25.00
621-126	Parking longer than permitted on certain streets at certain times on certain days	20.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--First offense in a twelve-month period	50.00
621-127	Unlawful outdoor storage of inoperable motor vehicle--Second offense in a twelve-month period	250.00

621-128	First violation in twelve month period	50.00
621-128	Second violation in twelve month period	100.00
621-203	Parking in excess of time permitted in parking meter zone	20.00
621-210	Parking in meter zone when temporarily prohibited	20.00
621-216	Overtime parking in metered parking space	20.00
621-306	Unlawful parking during snow emergency	25.00
621-404	Leaving taxicab unattended	20.00
621-405	Unlawful parking in certain mailbox zones	20.00
621-430(a)	Unlawful use of loading zone in Regional Center by non-eligible vehicle	25.00
621-430(b)	Unlawful use of loading zone in Regional Center--Non-permitted use	25.00
621-430(c)	Unlawful use of loading zone in Regional Center in excess of posted time limits	25.00
621-430(d)	Unlawful obstructing traffic in the Regional Center	25.00
621-430(e)	Unlawful parking in alleys or on certain narrow streets in the Regional Center	25.00
621-501	Unlawful stopping, standing or parking near fire hydrant	75.00
621-502	Unlawful obstruction of fire lane	75.00
631-102	In park after hours--First offense in calendar year	50.00
631-109	Alcohol in park--First offense in calendar year	50.00
645-528	Skateboard or similar play device--First offense in calendar year	50.00
706-105	Water conservation violation--First offense in twelve-month period	100.00
706-105	Water conservation violation--Second offense in twelve-month period	250.00
730-505	Civil zoning violations--First offense in calendar year	50.00
811-214	Alarm business failure to report monitoring information	100.00
811-311	First false alarm in calendar year after a year in which a warning was issued	25.00
811-311	Second false alarm in same calendar year as warning	25.00
811-311	Second false alarm in all other calendar years	50.00
811-311	Third false alarm in same calendar year as warning	50.00
811-311	Third false alarm in all other calendar years	75.00
811-311	Fourth false alarm in same calendar year as warning	75.00
811-311	Fourth false alarm in all other calendar years	100.00
811-704	Second faulty fire alarm in twelve-month period	25.00
811-704	Third faulty fire alarm in twelve-month period	50.00
811-704	Fourth faulty fire alarm in twelve-month period	75.00
Ch. 895	Horse-drawn carriage violation--First offense in twelve-month period	100.00
Ch. 903	Pedal cab violation--First offense in twelve-month period	100.00

931-305	Excessive parking charge at commercial parking facility--First offense in twelve-month period	100.00
996-77	No monthly taxicab certificate--First offense in twelve-month period	25.00
996-123	Failure to maintain public vehicle for hire--First offense in twelve-month period	25.00
996-124	Taxicab operator dress code violation--First offense in twelve-month period	25.00
996-126	Failure to display licenses or fare schedule--First offense in twelve-month period	25.00
996-138	Taxicab operator exceeding limitation on hours--First offense in twelve-month period	25.00

SECTION 3. This ordinance shall be in full force and effect from and after adoption and compliance with IC 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2010, at _____ p.m.

ATTEST:

Ryan Vaughn
President, City-County Council

Melissa Thompson
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2010, at 10:00 a.m.

Melissa Thompson
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2010.

Gregory A. Ballard, Mayor